

ABSTRACT

This project proposes a Federal consistency review strategy for the Albemarle-Pamlico (A/P) Estuarine Study, as required by Section 320(b)(7) of the Clean Water Act. The report reviews several alternative strategies for implementing a Federal consistency review process. The report also includes a list of Federal assistance programs, direct development activities, and Federal permit and licensing activities which should be reviewed for consistency with the Comprehensive Conservation and Management Plan (CCMP).

A Federal consistency review program encourages Federal agencies to cooperate in implementing the CCMP. Through the review process, the A/P Management Conference can scrutinize proposed Federal activities, identify potential conflicts with the CCMP, and negotiate project modifications with the responsible Federal agency.

The proposed strategy resulted from an examination of existing Federal consistency review programs coordinated by the N.C. Division of Coastal Management (DCM) and the State Clearinghouse. The proposed strategy integrates the A/P Federal consistency program with the DCM consistency review program. The strategy can be implemented by submitting the CCMP to DCM for adoption into the North Carolina Coastal Management Program. DCM will be responsible for determining consistency with the CCMP after the CCMP is incorporated into the Coastal Management Program. An A/P reviewer (from the Management Conference or the A/P program staff) may be added to the circulation list maintained by DCM. Alternatively, DCM may acquire CCMP review responsibility if the A/P program is terminated following completion of the CCMP.

This approach minimizes review duplication and maximizes the A/P Management Conference's authority to review and influence Federal activities. The A/P program gains the ability to stop inconsistent Federal activities through integration with the DCM review process, and also expands A/P review authority to include Federal issuance of licenses and permits.